

Attorney Docket No. IMMR-022/01US (New)  
IMD004A (Old)



PATENT

11-21-02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of Gregory L. MERRILL et al.

Serial No.: 09/811,358

Examiner: Mulcahy, John M.

Filed: March 16, 2001

Art Unit: 3739

Confirmation No.: 7776

For: Method And Apparatus For Controlling Force For Manipulation of Medical Instruments

Commissioner for Patents  
Washington, D.C. 20231

**RECEIVED**

NOV - 5 2002

TECHNOLOGY CENTER R3700

**RESPONSE TO RESTRICTION REQUIREMENT**

In the restriction requirement mailed October 2, 2002, the Examiner requested that the Applicants elect among the following groups of claims:

Group I: Claims 1-25;

Group II: Claims 26-30; and

Group III: Claims 31-37.

The Examiner indicated that Groups I and III are not restricted from each other.

**Applicants hereby elect, without traverse, Groups I and III, which include claims 1-25 and 31-37, for prosecution on the merits.**

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: November 4, 2002

Cooley Godward LLP  
ATTN: Patent Group  
One Freedom Square  
Reston Town Center  
11951 Freedom Drive  
Reston, Virginia 20190-5656  
Tel: (703) 456-8000  
Fax: (703) 456-8100

By:

Respectfully submitted,  
COOLEY GODWARD LLP

  
Erik B. Milch  
Reg. No. 42,887

Attorney Docket No. IMMR-022/01US (New)  
IMD004A (Old)



PATENT  
11-21-02  
6/6

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of Gregory L. MERRILL et al.

Serial No.: 09/811,358

Examiner: Mulcahy, John M.

Filed: March 16, 2001

Art Unit: 3739

Confirmation No.: 7776

For: Method And Apparatus For Controlling Force For Manipulation of Medical Instruments

Commissioner for Patents  
Washington, D.C. 20231

**RECEIVED**

NOV - 5 2002

**PRELIMINARY AMENDMENT**

TECHNOLOGY CENTER R3700

Prior to examination of the above-identified application, please amend the above-captioned application as follows:

**IN THE CLAIMS:**

Please replace **claims 1-25 and 31-37**, provided below, for claims 1-25 and 31-37 of the application as previously presented. In addition, please add new claim 38. Please cancel claims 26-30 without prejudice to or disclaimer of the subject matter therein. A marked-up version of claims 1-25 and 31-37, which shows all of the changes that have been made to the claims, is submitted herewith with additions double underlined and deletions shown in strikethrough text.

*1. (Amended) An apparatus, comprising:  
an elongated member having a distal portion configured to engage tissue  
in a body and having a manipulable proximal portion, said elongated member configured  
to be moved in a degree of freedom;*